

## REMARKS

Claims 30-74 are currently pending. Claims 35-37, 41-43, 46-48, 55-57 have been canceled because said claims are drawn to a non-elected invention. Furthermore, claims 30, 31, 32, 38, 49 and 58 have been amended to delete the non-elected subject matter.

Applicants expressly reserve the right to file a continuation/divisional application directed to the non-elected subject matter.

Although claims 59-74 have been designated as withdrawn in the amendment submitted herewith, Applicants have amended Claims 63 and 67 so that they are commensurate with the scope of the composition of matter claims. Applicants assert that once the compounds of the present invention are found to be novel, then the other Groups defined by the Examiner that contain any compositions of matter containing those compounds should also be found to be novel and rejoined. Likewise, pursuant to linking claim practice, at least one of the method claims should be rejoined.

### Priority

Applicants submit herewith a certified English translation of the foreign application to which Applicants are claiming priority i.e. Hungarian Patent Application P 0200849.

### Claim Rejections – 35 USC §102

The Examiner rejected Claims 30-33, 38, 39, 50, 51, 52 and 53 under 35 USC 102(a) as being anticipated by Hayakawa et al., JP 2002-264450 (US Equivalent US2005/0176771 A1). The Examiner suggested that the rejection may be obviated by providing a certified English translation of the priority document to get the benefit of the foreign filing date. Applicants submit the certified translation herewith and respectfully request that the rejection be withdrawn.

Claims 30-33, 38, 39, 50, 51, 52 and 53 were rejected under 35 USC 102(e) as being anticipated by Haffner, et al. WO 2003/002553 A3 (US 2004/0242636 A1). The Examiner asserts that the instant invention is taught in the examples i.e. page 29, example 24 of US 2004/0242636 A1. Applicants have amended Claims 30, 31 and 38. Specifically, Applicants have inserted a proviso at the end of Claim 30 i.e. “with the proviso that R1 cannot be benzoxazolyl”. Claims 31 and 38 have been amended to delete “benzoxazolyl” from the group defining “said nitrogen-containing aromatic moiety”. Claims 32, 33, 39, 50, 51 and 53 are dependent on amended Claims 30, 31 and 38. Applicants submit the amendment of Claims 30, 31 and 38 is sufficient to overcome the pending anticipation rejection.

### Objections

The Examiner asserts that the title of the invention is not descriptive. Applicants propose to re-title the application as follows:

“Fluoropyrrolidines Having Dipeptidyl Peptidase Enzyme Inhibitory Activity”.

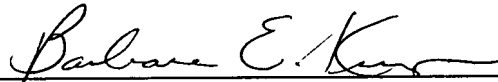
Applicants file herewith an ADS to the USPTO wherein the new title is recited.

The Examiner objects to the specification because the disclosure does not contain information regarding the continuing data. Applicants file herewith an ADS to the USPTO wherein applicants have included the continuity data.

### Conclusion

In view of the amendment and remarks submitted herewith, Applicants respectfully request allowance of the application.

Respectfully submitted,



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